

REMARKS

Claims 6-9, 11, 12, and 24-46 are pending in the above-identified application. Claims 27-32, 38-43, and 46 were rejected. With this Amendment, no claims were amended. Accordingly, claims 6-9, 11, 12, and 24-46 remain at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 27, 28, 38-41, and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakagawa* (U.S. Patent Publication No. 2005/0168662) in view of *Kikkawa* (U.S. Patent No. 6,665,032). Claims 29 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakagawa* in view of *Kikkawa* and further in view of *Suzuki et al.* (U.S. Patent Publication No. 2002/0018162). Claims 30, 32, and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakagawa* in view of *Kikkawa* and further in view of *Nishida et al.* and *Suzuki et al.* (U.S. Patent No. 6,052,168). Applicants respectfully traverse these rejections.

All of the rejections primarily rely on the *Nakagawa* reference. Applicants respectfully submit that *Nakagawa* does not qualify as a prior art, and should have never been cited against the claims. *Nakagawa* has an earliest effective filing date under 102(e) of July 16, 2003, its PCT filing date. *See* MPEP 2136.03 (foreign filing dates may not be used as 35 U.S.C. 102(e) dates for prior art purposes). The present application claims priority to Japanese Patent Application No. 2003-110836, filed on April 15, 2003. Therefore, the present application has an effective filing date of April 15, 2003.

Applicants submitted a certified copy of the Japanese priority application on April 13, 2004, and submitted a certified English translation of the Japanese priority application on January 2, 2007 for related Application No. 11/217,041. The certified English translation is enclosed for the Examiner's reference. Thus, Applicants have perfected their claim of priority.

Accordingly, Applicants respectfully submit that *Nakagawa* does not qualify as a prior art, and respectfully request the rejections be withdrawn.

II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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